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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/605,349

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Peter L. Bergh

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06/02/2008

MOORE AND VAN ALLEN PLLC FOR BOEING
430 DAVIS DRIVE
SUITE 500
MORRISVILLE, NC 27560

EXAMINER

PERUNGA VOOR, VENKATANARAY

ART UNIT

PAPER NUMBER

2132

MAIL DATE

DELIVERY MODE

06/02/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/605,349	Applicant(s) BERGH ET AL.	
	Examiner Venkat Perungavoor	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9-51,53-73,75-90,92-100,103-114,132 and 134-141 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,9-51,53-73,75-90,92-100,103-114,132,134-141 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

In view of the appeal brief filed on 1/15/2008, PROSECUTION IS HEREBY REOPENED. The instructions set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

/Gilberto Barron Jr/
Supervisory Patent Examiner, Art Unit 2132

Applicant's arguments with respect to claims 1-7, 9-51,53-73,75-90,92-100,103-114,132,134-141 have been considered but after further search and consideration, newly discovered prior art has necessitated new grounds of rejection.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

Claims 1-7, 9-14, 21-27, 31-36, 45-49, 54-60, 73, 75-76, 78-85, 90, 92-94, 100, 103-110, 112-114, 132, 134-141 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 03/052630 to Irdeto in view of US Patent 6598162 to Moskowitz.

Regarding Claim 1, 62, 132, 138, Irdeto discloses the header(formatting data) associated with the content data see Page 19 Ln 16-20; formatter to format content data in predetermined format based on formatting data, wherein information content data is capable of being presented in format other than predetermined format at the requestor/client and the formatting data is responsive to one key or password to prevent the associated information being presented in format other than the predetermined format at the requester or client to provide presentation integrity between the requester or client see Page 20 Ln 22-29. But Irdeto does not explicitly disclose the encrypting/decrypting of formatting data. However, Moskowitz discloses the encrypting/decrypting of formatting data see Fig. 1 item 120 & Col 6 Ln 37-50. It would be obvious to one having ordinary skill in the art at the time of the invention to include encrypting/decrypting of formatting data in the invention of Irdeto in order to restrict the subsequent use of the content while in transit as well as real-time viewing or playing, as taught in Moskowitz see Col 7 Ln 38-47.

Regarding Claim 2, 22, 41, Irdeto discloses the plurality of format decoders being present to decode the format and to authorize the user see Page 16 Ln 21-29 & Page 1 Ln 6-21.

Regarding Claim 3, 23, Irdeto discloses the format field containing a indicator of the type of format and a key generation algorithm field containing the key see Page 31 Ln 21-29.

Regarding Claim 4, 26, Irdeto discloses the temporary validation keys to be used for encryption/decryption assigned to different copies of data see Page 31 3-6.

Regarding Claim 5, Irdeto discloses the output the present data in predetermined format see Page 24 Figure.

Regarding Claim 6-7, 81, 27, 60, 81, Irdeto discloses the output device being a display and printer see Fig. 1(microcomputer generally includes an printer). Further, an MPEG decoder(i.e. media player) connected to the computer see Page 21 Ln 24-32.

Regarding Claim 8, 10, 12, 14, 32-33, 35-36, 45-46, 52-53, 56, 59, 63-65, 67-70, 76, 78-80, 83-84, 93, 103-107, 109, 112-114, 135,137, 139, 141, Irdeto discloses the validation keys being used to decrypt the content see Page 21 Ln 14-17 and further to decrypt the header see Page 31 Ln 3-6 Further the keys being temporary in nature see Page 31 Ln 21-29.

Regarding Claim 9, 31, Irdeto discloses the user key being used to decrypt data see Page 31 Ln 21-29.

Regarding Claim 11, 49, Irdeto discloses the encrypter for encrypting see Page 27 Ln 16-24.

Regarding Claim 21, 55, Irdeto discloses the formatter to output predetermined format based on formatting data see Page 19 Ln 16-20; Irdeto discloses the output the present data in predetermined format wherein information content data is capable of being presented in format other than predetermined format at the requestor/client and the formatting data is responsive to one key or password to prevent the associated information being presented in format other than the predetermined format at the requester or client to provide presentation integrity between the requester or client see Page 20 Ln 22-29 (where the protocol is presented to the user when a temporary key is used to decrypt the data containing protocol information). But Irdeto does not explicitly disclose the decrypting of formatting data. However, Moskowitz discloses the decrypting of formatting data see Col 6 Ln 37-50. It would be obvious to one having ordinary skill in the art at the time of the invention to include encrypting/decrypting of formatting data in the invention of Irdeto in order to restrict the subsequent use of the content while in transit as well as real-time viewing or playing, as taught in Moskowitz see Col 7 Ln 38-47.

Regarding Claim 24-25, 57-58, 66, 75-77, 102, 110, 134, 136, 140, Irdeto discloses the versions and authorization at the PC for each user being embedded in the header see Fig. 14& Fig. 15.

Regarding Claim 34, Irdeto discloses a formatter to format the content data based on the metadata wherein information content data is capable of being presented in format other than predetermined format at the requestor/client and the formatting data is encrypted and decrypted in response to one key or password to prevent the associated

information being presented in format other than the predetermined format at the requester or client to provide presentation integrity between the requester or client see Page 20 Ln 22-29 (where the protocol is presented to the user when a temporary key is used to decrypt the data containing protocol information). But Iredto does not explicitly disclose the encrypting/decrypting of formatting data. However, Moskowitz discloses the encrypting/decrypting of formatting data see Fig. 1 item 120 & Col 6 Ln 37-50. It would be obvious to one having ordinary skill in the art at the time of the invention to include encrypting/decrypting of formatting data in the invention of Irdeto in order to restrict the subsequent use of the content while in transit as well as real-time viewing or playing, as taught in Moskowitz see Col 7 Ln 38-47.

Regarding Claim 40, 90, Irdeto discloses the encrypter to encrypt the data see Page 19 Ln 16-20; broker to transmit the encrypted information to client see Fig.1 item 4; formatter to decrypt the encrypted format data and format content data in predetermined format based on formatting data wherein information content data is capable of being presented in format other than predetermined format at the requestor/client and the formatting data is responsive to one key or password to prevent the associated information being presented in format other than the predetermined format at the requester or client to provide presentation integrity between the requester or client see Page 20 Ln 22-29 (where the protocol is presented to the user when a temporary key is used to decrypt the data containing protocol information); browser to present information in predetermined format see Page 24 Figure. But Iredto does not explicitly disclose the encrypting/decrypting of formatting data. However, Moskowitz discloses the

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encrypting/decrypting of formatting data see Fig. 1 item 120 & Col 6 Ln 37-50. It would be obvious to one having ordinary skill in the art at the time of the invention to include encrypting/decrypting of formatting data in the invention of Irdeto in order to avoid having to manipulate the formatting data at distribution as taught in Moskowitz see Col 7 Ln 38-47.

Regarding Claim 47, 54, Irdeto discloses the buffer and storage device see Fig. 1 item 4; broker to transmit the encrypted information to client see Fig. 1 item 8.

Regarding Claim 48, 100, Irdeto discloses the broker to transmit the information to client wherein information content data is capable of being presented in format other than predetermined format at the requestor/client and the formatting data is encrypted and decrypted in response to one key or password to prevent the associated information being presented in format other than the predetermined format at the requester or client to provide presentation integrity between the requester or client see Fig.1 item 4 & Page 20 Ln 22-29 (where the protocol is presented to the user when a temporary key is used to decrypt the data containing protocol information). But Irdeto does explicitly disclose the encrypting/decrypting of formatting data. However, Moskowitz discloses the encrypting/decrypting of formatting data see Fig. 1 item 120 & Col 6 Ln 37-50. It would be obvious to one having ordinary skill in the art at the time of the invention to include encrypting/decrypting of formatting data in the invention of Irdeto in order restrict the subsequent use of the content while in transit as well as real-time viewing or playing, as taught in Moskowitz see Col 7 Ln 38-47.

Regarding Claim 71, Irdeto discloses the authorization of user see Page 21 Ln 24-32.

Regarding Claim 71, Irdeto discloses the DVD watermarking see Page 22 Ln 6-9.

Regarding Claim 73, Irdeto discloses the formatting the associated content data in predetermined format based on header data wherein information content data is capable of being presented in format other than predetermined format at the requestor/client and the formatting data is responsive to one key or password to prevent the associated information being presented in format other than the predetermined format at the requester or client to provide presentation integrity between the requester or client see Fig.1 item 4 & Page 20 Ln 22-29 (where the protocol is presented to the user when a temporary key is used to decrypt the data containing protocol information). But Irdeto does explicitly disclose the encrypting/decrypting of formatting data.

However, Moskowitz discloses the encrypting/decrypting of formatting data see Fig. 1 item 120 & Col 6 Ln 37-50. It would be obvious to one having ordinary skill in the art at the time of the invention to include encrypting/decrypting of formatting data in the invention of Irdeto in order restrict the subsequent use of the content while in transit as well as real-time viewing or playing, as taught in Moskowitz see Col 7 Ln 38-47.

Regarding Claim 74, 90, 101,134, Irdeto discloses the defined formatting of many types see Page 21 Ln 33-36.

Regarding Claim 75, Irdeto discloses the user authorization being encoded into the header, further this information is used to decrypt the content data see Page 31 Ln 21-29.

Regarding Claim 82, Irdeto discloses the decrypting of content see Page 31 Ln 21-29.

Regarding Claim 85, Irdeto discloses the header being updated and accounting for these changes see Page 31 Ln 21-29.

Regarding Claim 92,94 Irdeto discloses user authorization information in addition to the user supplied data see Page 31 Ln 21-29.

Regarding Claim 108, Irdeto discloses a formatter to format the content data based on the metadata wherein information content data is capable of being presented in format other than predetermined format at the requestor/client and the formatting data is encrypted and decrypted in response to one key or password to prevent the associated information being presented in format other than the predetermined format at the requester or client to provide presentation integrity between the requester or client see Fig.1 item 4 & Page 20 Ln 22-29 (where the protocol is presented to the user when a temporary key is used to decrypt the data containing protocol information). But Irdeto does explicitly disclose the encrypting/decrypting of formatting data. However, Moskowitz discloses the encrypting/decrypting of formatting data see Fig. 1 item 120 & Col 6 Ln 37-50. It would be obvious to one having ordinary skill in the art at the time of the invention to include encrypting/decrypting of formatting data in the invention of Irdeto in order to avoid having to manipulate the formatting data at distribution as taught in Moskowitz see Col 7 Ln 38-47.

Claims 15-20,37-39,50-51, 61, 86-89, 95-99, are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Publication 2004/0225891 to Irdeto et al.(hereinafter Irdeto) in view of US Patent 6598162 to Moskowitz further in view of US Patent Publication 2003/0229529 to Mui et al.(hereinafter Mui).

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Regarding Claim 15-20, 37-39, 50-51, 61, 86-89, 95-99, Irdeto nor Moskowitz does not explicitly disclose the XSLT being used to produce an HTML, web browser see Fig. 8A item "HTML", "XSL/XSLT". It would be obvious to one having ordinary skill in the art at the time of the invention to include the XSLT being used to produce an HTML, web browser in the invention of Irdeto in order to make it adaptable across many platforms as taught in Mui see Par. 0216.

Claims 77,111, are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Publication 2004/0225891 to Irdeto et al.(hereinafter Irdeto) in view of US Patent 6598162 to Moskowitz and further in view of US Patent Publication 2002/0099947 to Evans.

Regarding Claim 77, Irdeto nor Moskowitz does not disclose the audio-visual or combination of audio-visual. However, Evans discloses audio, visual, and audio-visual see Fig. 1 item 16 & Par. 0002 & Par. 0041-0043.It would be obvious to one having ordinary skill in the art at the time of the invention to include audio, visual, and combination of audio-visual in the invention of Irdeto in order to have an unique user experience see Par. 0049.

Claims 28-30, 42-44, is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Publication 2004/0225891 to Irdeto et al.(hereinafter Irdeto) in view of US Patent 6598162 to Moskowitz further in view of US Patent 5815809 to Ward et al.(hereinafter Ward).

Regarding Claim 28-30, 42-44, Irdeto nor Moskowitz does not disclose the formatter being included in an vehicle and further of communications involving satellite and

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ground communications. However, Ward discloses the formatter in a vehicle and communication involving satellite and ground communications see Fig. 1. It would be obvious to one having ordinary skill in the art at the time of the invention to include the formatter in a vehicle and communication involving satellite and ground communications in the invention of Irdeto in order to service to roaming user a as taught in Col 1 Ln 50-56.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is (571)272-7213. The examiner can normally be reached on 8:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/V. P./

Examiner, Art Unit 2132

May 12, 2008

/Gilberto Barron Jr/

Supervisory Patent Examiner, Art Unit 2132